



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, November 20, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Deputy Mayor Pro Tem Gallops, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Kilgore

Absent: Mayor Pro Tem Phillips

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION (5:30 P.M.)

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

- 2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.072 (Consultation with Attorney) to seek legal advice pertaining to the City assuming responsibility and maintenance of a privately owned regional detention pond and drainage channel. (20 minutes)

RECONVENE INTO OPEN SESSION

Convened into open session at 6:19 p.m.

3. WORK SESSION ITEMS (5:50 P.M.)

3A. Discussion on amendments to Section 10-32 of Article II ("Alcoholic Beverages") of Chapter 10 ("Businesses") of the City of Rowlett Code of Ordinances. (45 minutes)

Erin Jones, Planning Director, provided background information and options to consider. Spoke concerning three discussion points:

- Amend section of Alcoholic Beverages Code to provide an exception for the sale of alcoholic beverages within 300 feet of a church, public or private school or public hospital within any "Urban Village District" zoning classification.
- Add section to Alcoholic Beverages Code to mirror the State language which allows the local governing board a variance process.
- Remove section which prohibits the sale of beer in residential areas or within residential zoning districts.

Questions were asked regarding alcohol bars, a complaint process, and the definition of 'residential'.

A member of Council asked for the implications of changing the Code of Ordinances.

3B. Discussion of Environmental Air Quality Report related to the City of Garland's Hinton Landfill and Community Park. (25 minutes)

Joe Tilger, Environmental Services Manager and staff from Dougherty Sprague Environmental, reviewed the air quality report results with the Council. Stated the testing was to assess the level of potential toxicity. Further stated landfills are required to periodically complete air quality testing; and the severe drought may have negatively affected the operation of the landfill.

Staff stated the results from the report will be posted to the City's website so that it will be easy to interpret.

3C. Discussion regarding an ordinance requiring ice cream trucks, food trucks and mobile vendors to obtain and clearly display a permit on the vehicle to do business, and to revise regulations regarding door-to-door sales. (25 minutes)

It was the consensus of the Council to reschedule this item for the December 4, 2012, Council meeting.

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be individually considered.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:32 p.m.

INVOCATION

The invocation was led by Pastor Dan Pence, Still Water Community Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Gottel.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Councilmember Kilgore.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Hear presentation of the Monthly Financial report for the period ending September 30, 2012.

Brian Funderburk, Assistant City Manager, gave a presentation regarding the Monthly Financial report for the period ending September 30, 2012. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

Lynda Humble, City Manager, commended Mr. Funderburk for his service as the Interim Finance Director.

- 5B.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Mayor Gottel gave a brief update to the Council on the various activities in the City including the Planning and Zoning Commission Meeting will be held on Tuesday, November 27th at City Hall; the next City Council Meetings will be held on Tuesday, December 4th and December 18th at City Hall; City offices will be closed for the Thanksgiving Holiday on both Thursday, November 22nd and Friday, November 23rd; trash service will not run on Thanksgiving Day but will be delayed one day; Get Smart about DART! will be held on Wednesday, November 28th beginning at 7:00 p.m. at the Rowlett Library; the DART Blue Line Grand Opening and Main Street Fest: Ride the Rowlett Express will be held on Saturday, December 1st beginning at 3:00 p.m. on the Main Street front lawn and at the DART Station; a Low Cost Animal Vaccination Clinic will be held at the Animal Shelter on Saturday, December 1st and 8th beginning at 12:30 p.m.; the Library will host several programs including: the Holiday Fest on Saturday, December 1st

beginning at 2:00 p.m., Tech Ed: eBay on Thursday, December 6th beginning at 6:30 p.m., Gingerbread House Making on Saturday, December 8th beginning at 2:00 p.m., Music with Miss Heather on Saturday, December 15th beginning at 2:00 p.m.; a Hobbit Movie Celebration on Saturday, December 15th beginning at 2:00 p.m., and Kindergarten through 12th grade artists are invited to participate in the 12th Annual Young Artists Contest and Exhibit.

6. CITIZENS' INPUT

No one spoke during Citizens' Input.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The City Secretary read the items into the record.

7A. Consider approving minutes from the November 6, 2012, City Council Regular Meeting.

This item was approved on the Consent Agenda.

7B. Consider a resolution awarding a contract to Quality Excavation for the Larry Street Paving, and Drainage Improvements for a total project amount of \$785,666.70 and authorizing the Mayor to execute such agreement in a form approved by the City Attorney.

This item was approved as RES-112-12 on the Consent Agenda.

7C. Consider a resolution authorizing a purchase order to Fuquay, Inc. for the Sanitary Sewer Manhole Rehabilitation Project Phase 2 in the amount of \$525,000 and authorizing the Mayor to execute the Standard Public Works Construction Contract and authorizing the issuance of purchase orders pursuant to approval.

This item was approved as RES-113-12 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Davis, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Consider and act on a resolution outlining the scope and term of the Charter Review Commission and appointment of its members.

Mayor Gottel read the item into the record and gave a brief background of this item.

Councilmember Davis offered additional comments regarding the Commission.

Mayor Gottel spoke regarding two additional citizens who showed interest in serving on the Commission.

Councilmember Davis read the proposed slate of member appointments into the record.

The following seven regular member positions and five alternate member positions were appointed to the commission:

The Regular member appointees are:

Dr. Michael Lucas (Chairman)

Tammy Dana-Bashian

Mick Donnelly

Whitney Laning

Pamela Liston

Jeff Sheldon

Brownie Sherrill

The Alternate member appointees are:

Cliff Hand

David Jenkins

Kevin Lawson

Susie Quinn

Deb Shinder


A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Miller, to approve the resolution and the slate of appointments as read. The motion carried by a unanimous vote of those members present. This item was adopted as RES-114-12.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No action followed the Executive Session item.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 7:53 p.m.



Todd Gottel, Mayor



Laura Hallmark, City Secretary

Date Approved: December 4, 2012